

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.23-cr-00038
	)	
IRVING JHON MENDOZA-ALCANTARA,	)	
	)	
Defendant.	)	
_____	)	

**UNOPPOSED MOTION TO CONTINUE TRIAL**

**TO THE HONORABLE COURT:**

**COMES NOW** Defendant, IRVING JHON MENDOZA-ALCANTARA, through the undersigned counsel and pursuant to the Fed. R. Crim. P., hereby moves this Court to continue the Jury Trial set for September 11, 2023, and very respectfully STATES, ALLEGES, and PRAYS:

1. This Honorable Court has scheduled a Jury Trial on the instant matter for September 11, 2023, at 9:00 am [DE 55].

2. Defendant herein is charged with One Count of Illegal Entry in violation of Title 8, U.S.C. §1325(a) [DE 44].

3. However, Defendant has filed applied for asylum pursuant to §208(a)(2)(B) of the Immigration and Nationality Act (INA).

4. Therein, Defendant is awaiting receipt of documents which support his alibi in defense of the allegations filed against him.

5. Accordingly, Defendant requests the Jury Trial be continued for a period of not less than sixty (60) days in order to allow Defendant to gather the necessary document to defend himself herein.

6. Undersigned counsel has discussed this matter with AUSA Yasir Sadat, who is unopposed to the relief requested herein.

**WHEREFORE**, Defendant, IRVING JHON MENDOZA-ALCANTARA, respectfully requests that this Honorable Court continue the Jury Trial (and all pretrial deadlines) scheduled herein for a period of not less than sixty (60 days, and such other relief it deems just and proper.

Respectfully submitted,  
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By: /s/ Lorenzo J. Palomares Starbuck  
**Lorenzo J. Palomares-Starbuck, Esq.**  
*By appointment of the Court*